

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

TERRY ANDERSON, #08344031	§	
VS.	§	CIVIL ACTION NO. 6:06cv12 CRIMINAL ACTION NO. 6:96cr50-1
UNITED STATES OF AMERICA	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

On January 3, 2006, Petitioner Terry Anderson, an inmate confined at Federal Medical Center, Fort Worth, Texas, filed this motion pursuant to 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. Pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges, the motion was referred to United States Magistrate Judge John D. Love.

The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. The Report recommended dismissing it for failure to obtain permission to proceed in a second or successive petition. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts

So ORDERED and SIGNED this 27th day of February, 2006.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**

them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED WITHOUT PREJUDICE** to his right to file a motion in the United States Court of Appeals for the Fifth Circuit for leave to file a successive motion pursuant to 28 U.S.C. § 2255; and

ORDERS that all motions not previously ruled on are denied.